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**Human Rights Council**
**Twenty-sixth session**
Agenda item 4
**Human rights situations that require the Council's attention**

**Resolution adopted by the Human Rights Council**

## 26/25 Situation of human rights in Belarus

*The Human Rights Council*,

*Guided* by the purposes and principles of the Charter of the United Nations, the provisions of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

*Recalling* all resolutions adopted by the Commission on Human Rights, the General Assembly and the Human Rights Council on the situation of human rights in Belarus, including Council resolutions 20/13 of 5 July 2012 and 23/15 of 13 June 2013, and deploring the inadequate response and lack of cooperation by the Government of Belarus to the requests of the Council made in those resolutions, including the denial of access to the Special Rapporteur on the situation of human rights in Belarus and other special procedures mandate holders to the country,

*Recalling also* Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

1. *Welcomes* the reports of the Special Rapporteur on the situation of human rights in Belarus;[1]

2. *Expresses deep concern* at the continuing violations of human rights in Belarus, which are of a systemic and systematic nature, as well as at the use of torture and ill-treatment in custody, the lack of response by the Government of Belarus to cases of enforced disappearance of political opponents, the impunity of perpetrators of human rights violations, the violations of labour rights amounting to forced labour, the significant gaps in anti-discrimination legislation, the pressure on defence lawyers, and the lack of participation of opposition political parties in Parliament, urges the Government to undertake an electoral reform in line with the recommendations made by the Special Rapporteur so as to ensure that elections in Belarus at all levels are in accordance with the norms and standards of the Organization for Security and Cooperation in Europe, and calls upon the Belarusian authorities to cooperate fully to that end with relevant United Nations

[1] A/HRC/26/44 and A/68/276.

mechanisms and the Office for Democratic Institutions and Human Rights of the said Organization;

3. *Calls upon* the Government of Belarus to carry out a comprehensive review of relevant legislation, policies, strategies and practices to ensure that the provisions are clearly defined, consistent with international human rights law and with their human rights obligations and commitments, and not used to impede or unduly restrict the exercise of any human right, including the right to freedom of opinion and expression, the right of peaceful assembly and the right to freedom of association, including to form and join a trade union, as well as the freedom of the media;

4. *Notes* the continued attention paid by the Special Rapporteur to the issue of the death penalty in Belarus, and encourages the parliamentary working group on the death penalty to expedite its work;

5. *Urges* the Government of Belarus to carry out a comprehensive reform of the justice sector and bar associations in order to guarantee the full independence and impartiality of the judiciary, the presumption of innocence, the right to a fair trial and the right to an effective review of sentences and convictions by a higher tribunal established by law and to freely chosen legal representation throughout all proceedings, as well as the availability of information on the implementation of all sentences, while noting recent attempts to reform the judiciary;

6. *Strongly urges* the Government of Belarus to immediately and unconditionally release and rehabilitate all political prisoners, while welcoming the recent release of a prominent human rights defender, also strongly urges the Government to ensure that those who have been released are immediately and fully reinstated in their civil and political rights, to address, through comprehensive, transparent and credible investigations, reports of torture and ill-treatment by law-enforcement officials and to prosecute alleged perpetrators and punish those found guilty, and to put an immediate end to the arbitrary arrest, detention and harassment of human rights defenders, political opponents and journalists, to arbitrary travel bans and to other policies aimed at intimidating representatives of the political opposition and the media, as well as human rights defenders and civil society organizations;

7. *Strongly encourages* the Government of Belarus to establish a national human rights institution in accordance with the Paris Principles, and to enhance the progress made towards reaching the Millennium Development Goals;

8. *Decides* to extend the mandate of the Special Rapporteur on the situation of human rights in Belarus for a period of one year, and requests the Special Rapporteur to submit a report on the situation of human rights in Belarus to the Human Rights Council at its twenty-ninth session and to the General Assembly at its seventieth session;

9. *Urges* the Government of Belarus to cooperate fully with the Special Rapporteur, including by providing him access to visit the country and the information necessary to facilitate the fulfilment of the mandate;

10. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with the assistance and resources necessary to allow the fulfilment of the mandate.

*39th meeting*
*27 June 2014*

[Adopted by a recorded vote of 24 to 7, with 16 abstentions. The voting was as follows:

*In favour*:

Argentina, Austria, Benin, Botswana, Brazil, Chile, Costa Rica, Czech Republic, Estonia, France, Gabon, Germany, Ireland, Italy, Japan, Maldives, Montenegro, Peru, Republic of Korea, Romania, Sierra Leone, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

*Against*:

China, Cuba, India, Kazakhstan, Russian Federation, Venezuela (Bolivarian Republic of), Viet Nam

*Abstaining*:

Algeria, Burkina Faso, Congo, Côte d'Ivoire, Ethiopia, Indonesia, Kenya, Kuwait, Mexico, Morocco, Namibia, Pakistan, Philippines, Saudi Arabia, South Africa, United Arab Emirates]